

# **Defendant's Exhibit 52**

## Buongiorno, Matt

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**From:** Ring, Rose  
**Sent:** Monday, March 14, 2022 6:38 PM  
**To:** David Ko; Snyder, Orin; Stein, Deborah L.; Kutscher Clark, Martie; Falconer, Russ; Davis, Colin B.; Mumm, Laura C.; Buongiorno, Matt  
**Cc:** Derek Loeser; Cari Laufenberg; Benjamin Gould; Chris Springer; Adele A. Daniel; Emma Wright; Lesley Weaver; Matt Melamed; Anne Davis; Josh Samra  
**Subject:** RE: ADI

Hi David,

Wednesday at 10 am PT works for us. I'll send a conference line.

On (2), I just want to make clear again, that we are not withholding any documents, except in accordance with the privilege protocol. I simply want to discuss with you the limits of the Special Master's order on the production of "all documents relating to the ADI from all custodians that the parties have identified and collected," and whether there is any more we should do. The goal here is to make sure we have a meeting of the minds on this and avoid any further ADI-related disputes. But, to be clear, we have completed our production of ADI documents pursuant to the Special Master's orders and have not withheld any documents, except in accordance with the privilege protocol.

Thanks,

Rose

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**From:** David Ko <dko@KellerRohrback.com>  
**Sent:** Monday, March 14, 2022 10:47 AM  
**To:** Ring, Rose <RRing@gibsondunn.com>; Snyder, Orin <OSnyder@gibsondunn.com>; Stein, Deborah L. <DStein@gibsondunn.com>; Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Falconer, Russ <RFalconer@gibsondunn.com>; Davis, Colin B. <CDavis@gibsondunn.com>; Mumm, Laura C. <LMumm@gibsondunn.com>; Buongiorno, Matt <MBuongiorno@gibsondunn.com>  
**Cc:** Derek Loeser <dloeser@KellerRohrback.com>; Cari Laufenberg <claufenberg@KellerRohrback.com>; Benjamin Gould <bgould@KellerRohrback.com>; Chris Springer <cspringer@KellerRohrback.com>; Adele A. Daniel <ADaniel@KellerRohrback.com>; Emma Wright <ewright@kellerrohrback.com>; Lesley Weaver <lweaver@bfalaw.com>; Matt Melamed <mmelamed@bfalaw.com>; Anne Davis <adavis@bfalaw.com>; Josh Samra <jsamra@bfalaw.com>  
**Subject:** RE: ADI

[WARNING: External Email]

Rose,

Thank you for confirmation on (1). On (2), you indicate you were wrong to identify "categories" of withheld documents from the ADI production, so please simply describe what documents are being withheld. We asked you to do so last Monday and we await that response.

Wednesday is fine to confer and we would propose 10am. Please provide the response on (2) today so we can have a meaningful discussion. Thank you.

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**From:** Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>  
**Sent:** Friday, March 11, 2022 5:22 PM  
**To:** David Ko <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>; Snyder, Orin <[OSnyder@gibsondunn.com](mailto:OSnyder@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Mumm, Laura C. <[LMumm@gibsondunn.com](mailto:LMumm@gibsondunn.com)>; Buongiorno, Matt <[MBuongiorno@gibsondunn.com](mailto:MBuongiorno@gibsondunn.com)>  
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**Subject:** RE: ADI

Hi David,

I spoke to Derek about this yesterday afternoon, but just wanted to close the loop so we are all on the same page.

On (1), the answer is no.

On (2), my use of the term "categories" is wrong—which is why I thought a call to discuss would be helpful. I am still trying to find availability for Monday on our end. As you know, I am new to the case, and the person who led these efforts is out on vacation next week. I'll let you know as soon as I have our availability. Would Wednesday work?

Have a good weekend,

Rose

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**From:** David Ko <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>  
**Sent:** Thursday, March 10, 2022 1:41 PM  
**To:** Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Snyder, Orin <[OSnyder@gibsondunn.com](mailto:OSnyder@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Mumm, Laura C.

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**Cc:** Derek Loeser <[dloeser@KellerRohrback.com](mailto:dloeser@KellerRohrback.com)>; Cari Laufenberg <[claufenberg@KellerRohrback.com](mailto:claufenberg@KellerRohrback.com)>; Benjamin Gould <[bgould@KellerRohrback.com](mailto:bgould@KellerRohrback.com)>; Chris Springer <[cspringer@KellerRohrback.com](mailto:cspringer@KellerRohrback.com)>; Adele A. Daniel <[ADaniel@KellerRohrback.com](mailto:ADaniel@KellerRohrback.com)>; Emma Wright <[ewright@kellerrohrback.com](mailto:ewright@kellerrohrback.com)>; Lesley Weaver <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; Matt Melamed <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>; Anne Davis <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Josh Samra <[jsamra@bfalaw.com](mailto:jsamra@bfalaw.com)>

**Subject:** RE: ADI

**[WARNING: External Email]**

Thanks, Rose. We're happy to confer early next week. We are available on Monday afternoon any time after 3pm. Regarding the ADI production, two follow-up questions:

- 1) Was Facebook's production of ADI-related communications limited to the six exemplar apps?
- 2) What are the categories Facebook believes are not called for by the ADI orders?

Thank you.

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**From:** Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>

**Sent:** Thursday, March 10, 2022 12:12 PM

**To:** David Ko <[dko@KellerRohrback.com](mailto:dko@KellerRohrback.com)>; Snyder, Orin <[OSnyder@gibsondunn.com](mailto:OSnyder@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Mumm, Laura C. <[LMumm@gibsondunn.com](mailto:LMumm@gibsondunn.com)>; Buongiorno, Matt <[MBuongiorno@gibsondunn.com](mailto:MBuongiorno@gibsondunn.com)>

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**Subject:** RE: ADI

Hi David,

Thank you for reaching out. Apologies for the delay in responding. Having completed the ADI production last week, we've been focused on making progress on other discovery issues we have been discussing in mediation and with the Special Master.

On March 3, 2022, Facebook completed its production of ADI documents pursuant to the Special Master's orders dated December 20, 2021 and January 31, 2022. We withheld from production documents over which Facebook asserts a claim of attorney-client privilege, consistent with the parameters established by paragraph 20 of the Special Master's January 31, 2022 Order. Facebook anticipates serving the privilege log contemplated by paragraph 20.c of the order with its March 17 privilege log.

On other discovery issues, would you have time for a call early next week to continue the discussion we started in mediation on Monday regarding tracker issues P04-P12. We would also like to discuss whether we need to add another issue to the tracker relating to ADI. We have identified a couple of categories of ADI documents that are not called for by the orders. For completeness on the topic of ADI, we are considering asking the Special Master to amend the orders to address them. But we would like to discuss that with you first.

Thanks,

Rose

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**From:** David Ko <[dko@KellerRohrback.com](mailto:dko@KellerRohrback.com)>

**Sent:** Thursday, March 10, 2022 9:29 AM

**To:** Snyder, Orin <[OSnyder@gibsondunn.com](mailto:OSnyder@gibsondunn.com)>; Stein, Deborah L. <[DStein@gibsondunn.com](mailto:DStein@gibsondunn.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>; Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Davis, Colin B. <[CDavis@gibsondunn.com](mailto:CDavis@gibsondunn.com)>; Mumm, Laura C. <[LMumm@gibsondunn.com](mailto:LMumm@gibsondunn.com)>; Buongiorno, Matt <[MBuongiorno@gibsondunn.com](mailto:MBuongiorno@gibsondunn.com)>

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**Subject:** RE: ADI

[WARNING: External Email]

Dear counsel,

We write to follow up on the below email we sent on Monday regarding your compliance with Judge Chhabria's February 10 order to produce documents related to ADI by March 3, 2022. Please provide the courtesy of a response today. Thank you.

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**From:** David Ko

**Sent:** Monday, March 7, 2022 8:56 PM

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<jsamra@bfalaw.com>

**Subject:** ADI

Dear counsel,

Please confirm that the ADI production ordered by Judge Chhabria by March 3 is complete. In addition, please describe categories of documents or information, if any, that you withheld from the production. Finally, please indicate when you will provide a privilege log in connection with any withheld communications pursuant to para. 20.c. of Special Master Garrie's January 31, 2022 order.

Thank you.

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